

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WILLIAM L.E. DUSSAULT, Guardian ad  
litem for J.B., a minor; TIMOTHY and  
ESTHER BUCKMAN, wife and husband and  
parents of J.B.,

Plaintiffs,

PENINSULA WOMEN'S CLINIC, P.L.L.C., a  
Washington Corporation; ROBERT H.  
PALMER, JR., M.D.; DEBORAH G. BOPP,  
R.N., C.N.M., A.R.N.P.; CLALLAM  
COUNTY PHD #2 d/b/a OLYMPIC  
MEDICAL CENTER; CATHY L. REGISTER,  
R.N.; and Unknown John and Jane Does.

Defendant.

Case No. C06-5297RJB

## ORDER DENYING PLAINTIFFS' MOTION FOR CLARIFICATION

This matter comes before the court on Plaintiffs' Motion for Clarification (Dkt. 58). The court has considered the motion and documents filed in support of and in opposition thereto and the file. For the reasons stated herein, the motion should be denied.

This motion appears to be more a motion for reconsideration than a motion for clarification. The court’s Order Denying Petitioner’s Motion to Temporarily Seal File and Deem Confidential Certain Pleadings Until Conclusion of Litigation (Dkt. 54) does not require clarification.

1 While the court is aware that pursuant to Federal Rule of Civil Procedure 17(c), the court may  
2 "make such other order as it deems proper for the protection of the infant or incompetent person,"  
3 the court is not satisfied, on the showing made, that there is justification to withhold a guardian ad  
4 litem settlement report from other parties that remain in the case.

5 The court is also mindful that under Western District of Washington Local Civil Rules, and  
6 under Washington law, a “compelling interest test” is used. No sufficiently compelling interest  
7 justifying sealing of the file from other parties to the case has been shown here. *See* Western District  
8 of Washington Local Civil Rule 5(g)(1) and *Seattle Times Co. v. Ishikawa*, 97 Wn.2d 30 (1982);  
9 *Dreiling v. Jain*, 151 Wn.2d 900 (2004); *Rufer v. Abbot Labs*, 154 Wn.2d 530 (2005); & *Woo v.*  
10 *Fireman’s Fund Insurance Co.*, 2007 WL 641827 (Wash. App., Div. I, Mar. 5 2007).

11 Therefore it is now

12 ORDERED that Plaintiffs' Motion for Clarification is **DENIED**.

13 The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of  
14 record via the CM/ECF system and to any party appearing *pro se* at said party's last known address  
15 via the U.S. Mail.

16 DATED this 16<sup>th</sup> day of March, 2007.

  
Robert J. Bryan  
United States District Judge